

TOWN OF DIXFIELD

MEETING MINUTES

MONDAY, JULY 11, 2016 - 5:30

LUDDEN MEMORIAL LIBRARY

Board of Selectmen present: Norine Clarke, Eugene Skibitsky, Hart Daley, Norman Mitchell, Aaron Jamison

Town Employees present: Town Manager Carlo Puiia, Deputy Treasurer Barbara Rajaniemi, PW Foreman Randy Glover, PW Leo Jolin, CEO Michael Moore, Water Supt. James White, Police Chief Jeff Howe, and Fire Chief Scott Dennett

Citizens present: Dana Whittemore, Mr. & Mrs. Rafuse, Walter Newman, Peter Holman, Dave Dubois, Carol Dubois, Scott Blaisdell, Don Lutick, Terri Mitchell, Dan McKay, Grayson Child, Bernie & Sharon Gilsleider, Scott Belskis.

Also Present: Pete from Beauregard Equipment

Press present: WVAC TV

1. Call to Order: Pledge of Allegiance: Norine Clarke opened the meeting at 5:30 p.m. with the Pledge of Allegiance.

2. Public Hearing: The Board of Selectmen held a Public Hearing to receive public comment prior to their vote to consider approving the Liquor License Application for Surry Seafood LLC to serve beer and wine on the premises located at 60 Weld Street.

They have beer and wine to take-out, but not to consume on premises. This will be in addition to take out.

Mr. Mitchell - Is there a town ordinance? The restaurant before Surrey had a Liquor License.

Ms. Clarke- No zoning, was that the issue last time.

Mr. McKay – last owners served with no problems that he remembers.

No other comments from the public.

Hearing 5:35 closed. It will be brought up again as the agenda asks.

3. Agenda Adjustments: Warrants: 5A #116 / 5B #4 / 5C #15

4. Approval of Minutes: Regular Meeting Minutes June 27, 2016:

Tabled for the next meeting as the copies were not complete due to double sided original.

5. Approval of Warrants and Payroll:

- a. **Accounts Payable Warrant #'s: 114, 115**, adjustment #116
- b. **Payroll Warrant #'s: 1, 2**, adjustment #4
- c. **Water/Sewer Warrant #'s:** adjustment #15

Mr. Skibitsky makes a motion that we approve the warrants of Payable and Payroll with the adjustments. Second by Mr. Jamison. No discussion. The vote was unanimous, 5-0.

6. Department Head Reports:

- a. **Fire Department** – Mr. Dennett: Fire truck has been delivered. Hope to have it in service by the end of the week. The Graphics are being done this week.
Second note: Firefighters Assistant Grant program \$89,143 for Air Packs, town match is 5% - \$4,457.00, this money is available in capital account. We have 13 Air Packs at \$7,200 apiece.
- b. **Public Works** – Mr. Glover – Science Hill Road the gravel is down. Reclaim down last week, no water issues, we have solved the problem.
A few wash outs, Merrill Road fixed today, Averill Road will be fixed tomorrow.
Mr. Glovers has made a list of projects, will discuss at the Wednesday Roads Committee meeting, the list has been turned into TM Puiia. The full list is way more work than can be done in a year.
Excavator – to do projects ourselves, we will save money with the excavator.
Beauregard has the best service plan and the cheapest price.
The town can save money by leasing not renting.
It can be sent back at any time.
TM Puiia states that the payments are based on a 5 year payment plan, similar to the Loader lease/purchase agreement.
Ms. Clarke asks when they need to send this back, unless we decide to keep it? This week per Mr. Glover.
The equipment is brand new.
Mr. Mitchell states that the town already has the first year payment in the budget, and they just need to come up with the next 4 years and then buy it for \$1.00.
Mr. Glover – Most towns are leasing their big equipment for 5 years. If you keep up on the maintenance it will last.
Mr. Daley would like to know how much we have paid over the past 3 years in rental fees for an excavator.
TM Puiia states that we have been renting an excavator and it has been budgeted for \$5,000 to rent per year.
Mr. Glover if the town is going to be doing more road construction we will be needing an excavator.
Mr. McKay is concerned with finding the time for the crew to do the road construction. If the road construction fails the contractor needs to come back.

Mr. Glover referred to the High and Pine Street problems. Randy found the failures.

Mr. McKay wants to be sure Mr. Glover understands the cost of the town doing the work. More than often you still need engineers. You will also need a paver.

Ms. Clarke asks when you build a road you work with Jim White from the water district.

Mr. Glover states that Mr. White will do the excavator. Ms. Clarke notes that now we are favoring two departments not just one.

Pete from Beauregard Equipment states when you have someone that knows how to operate the equipment it save you so much time. He also states that renting it out to other towns will out way the extra costs of the machine. It seems like it is a lot to invest, but it's a piece of equipment at the town will have for a long time.

Mr. Newman states that Newton Avenue was under contract and the water would run anywhere it wants to run. Public Works came in and did something that broke that contract. He thinks we should contract it all out.

Mr. McKay questions if we will rent out to other departments. Will the other departments be responsible for repairs while using it?

Sharon asks in the lease agreement can we sublease.

Board discussion:

Mr. Jamison – How much do you charge for the backhoe? Mr. Glover states nothing

Mr. Skibitsky states that the Water district paid for half of the purchase of the backhoe.

Mike Moore asks if Mexico could pay for half the excavator.

TM Puiia clarifies that the Dixfield Water District, not the Mexico water District, and Dixfield Public Works Department bought the backhoe.

Mr. Daley states that we would have a weekly rental rate.

TM Puiia says yes, the going rate or maybe a bit less to stay town friendly.

Mr. Daley makes a motion to enter into a lease for one year. Mr. Mitchell seconds the motion. Discussion: Mr. Jamison states we have never used one for 6 months. Mr. Skibitsky states we have never had one in-house to use, with this we can plan further ahead. Mr. Daley states we could do a trial run with no penalties. Pete from Beauregard states it will be the same as the loader. Agree to 1 year at a time. It will need to have the oil checked and greased daily. All the maintenance will be done by Beauregard for 5 years. The wear and tear is the town's responsibility. A computer will ring to let Randy know when the oil change needs to happen. They will know where the machine is at all times.

The vote is 4-1 in favor. Mr. Jamison was not in favor

Comment from Mr. Daley, very happy with the bleachers as they were full and held up nicely.

7. Old Business:

a. Wind Energy Facility Ordinance – Where should we go from here?

Mr. McKay – Accept the DEP regulations and put them into the ordinance, Sound travels further than two miles and it is annoying to people. Science is catching up. Denmark is shut down the on shore turbines. Denmark is like Dixfield. Keep the windmills away from people. The windmills are getting bigger. Requests that Mike Rogers from MRS be put on the next meeting. (This ask needs to happen at a later time).

Mr. Lutick – The off shore facilities are phasing out for corrosion issues, but the on shore turbines are not being removed. The practicality of it is to get away from oil and gas. It is a step in the right direction.

Ms. Holmes – No ordinance. We as a town cannot come to an agreement; we need to allow the state control it.

Mr. Belskis– The state knows what they are doing, information is changing.

Mr. Holman– We cannot come to an agreement. He feels we should go with the state regulations. He hopes this board puts us forward and we get going on this. Renewable energy is what we need to look into.

Mr. Whittemore– No agreement, we should go with 39 – 52 decibels and get rid of the DEP. Put it in front of the people.

Board Discussion:

Mr. Jamison – He wants simple and easy / Yes or no - a direct question.

Mr. Skibitsky – In favor of killing the ordinance, let the state regulate it. If we have an ordinance it will tear the town apart further. He agrees with Mrs. Holmes “for the betterment of the town”

Mr. Daley – strongly oppose throwing out the ordinance and going back to DEP regulations. As they are coming closer to the towns they are having more and more complaints. Ordinances are to protect the people of our town. The DEP regulations are too lenient for rural areas. Health and safety is the wind energy ordinance. The wind energy ordinance is no different that the fireworks or marijuana. We have a duty to protect our citizens. Colonel Holman Ridge line is not far enough away for the safety of individuals. We should not be looking for the pot of gold. Money vs. the protection of our citizens. Mr. Daley’s recommendation is to go with Kristen Collins’ draft and reduce the decibels to 39-55, giving our citizens the protection they deserve.

Mr. Mitchell – Agree with Mr. Daley. We have local control. It is redundant to put the state levels before the people.

Ms. Clarke – We are not looking for the pot of gold. We are looking for a hand up. I disagrees that the last one that was voted down for 42-55. I believe it was voted down for the dBC’s, and also the language. The existing ordinance was a lot of work and we are trying to do the best we could. I believe we have stood our ground. We were positive but open. Attorney Kristen Collins said don’t change the intent. We still want wind. If we were to go with the state recommendations it would relieve the town from

enforcement. I believe we should do what was suggested, toss the ordinance and let the state take control.

Mr. Skibitsky – Rumford repealed their ordinance and went with the State.

Ms. Clarke – We have an option to table this or make a motion to go with the State. Public hearing when we have a discussion.

Mr. Mitchell – If the Turbines go up how will that make for friendly neighbors?

Mr. Skibitsky makes a motion to put on the ballot for November to remove any wind ordinances and let the State regulate for the town of Dixfield.

Mr. Jamison seconds the motion.

The vote is 3-2 in favor of the motion.

TM Puiia – we have 120 days until November vote, we need to have a hearing 30 days before the vote. You can have as many hearings as you want before the vote. We also need to have the hearing 30 before the absentee ballots. We will set a public hearing at the next selectman's meeting for some time in September.

b. Public Comment Policy and Code of Ethics Policy -

Mr. Daley votes to accept the Public Comment Policy, Mr. Jamison seconds the vote. Vote is unanimous 5-0.

Mr. Skibitsky requests to accept the Code of Ethics Policy, Mr. Mitchell seconds. The vote is unanimous 5-0.

c. Appointment of RSU 10 Withdrawal Committee Member – Ms. Clarke states that Mr. Whittemore has agreed to go to the meetings but he felt that he was serving as an elected Selectman. He feels that a sitting selectman should be on the committee. Ms. Clarke asks if any of the selectmen would like to fill that role. They meet twice a month. The question is asked how much longer will they meet, the vote is in November but it could go beyond that if the withdrawal is agreed upon.

Mr. Daley can't, although he feels it is an important effort, he has no time.

Mr. Jamison is against the effort.

Mr. Mitchell has no time.

Mr. Skibitsky agrees to try it as he feels it is a worthy effort.

Ms. Clarke states she is on too many committees and she hasn't been following.

Next meeting this Thursday at the high school from 6-7:30 pm, there will also be 4 public hearings.

Mr. Skibitsky agrees to try.

Mr. Daley nominates Mr. Skibitsky to sit on the RSU 10 withdrawal committee. Mr. Jamison seconds. The vote is in favor 4-1. Mr. Skibitsky abstained in the vote.

d. Appointment of Reserve Officer Ronald B. Wood – Chief Howe states that Ronald B. Wood is a 6 year vet from Rangeley, he left the police force to fly for Jet Blue. Mr. Wood is a top notch guy, very personable, nobody dislikes him. He will start a flight

school in auburn. He wants to stay in law enforcement. He is interested in a small town. He is a blue pin so he can cover a fatality. He is available anytime, he is a quick study and he is ready to roll. He is available a couple of days a week. Everything is all current.

Mr. McKay asks if he will go to the bottom of the reserve list. Chief Howe states there is a rotating roster. There are no shifts available, but that could change very quickly.

Mr. Daley makes a motion to allow the hire of Ronald B. Wood as a Reserve Officer. Mr. Jamison seconds the motion. The vote is approved unanimous 5-0.

8. New Business

a. Application for a Liquor License (on Premise): Surry Seafood LLC located at 60 Weld Street

Mr. Skibitsky makes a motion to approve the Liquor License (on Premise) for Surry Seafood LLC. Mr. Daley seconds that motion. The vote is approved unanimous 5-0.

b. Appointment of MedCare Board Alternate – Cheryl Dickson is our representative, the backup seat is vacant.

Mr. Jamison volunteers.

Mr. Skibitsky moves to vote in Mr. Jamison to be the alternate on the MedCare Board. Mr. Mitchell seconds the nomination. The vote is 4-0. Mr. Daley abstained.

c. Appointment of the Board of Appeals – We currently have four on the Board of Appeals, we need 5-7 board members. Patricia Benson has applied to serve on the Board of Appeals. This is a one year term.

Mr. Skibitsky moves to appointment Patricia Benson to the Board of Appeals for the one year term. It is noted that the police have no conflict of interest. Mr. Daley seconds the nomination. The vote is 4-1. Mr. Jamison opposed the vote.

d. Letter Requesting a Ban on Consumer Fireworks – There has been a written request for an ordinance to ban of Fireworks in the town of Dixfield for the following reasons:

- Disturbance of sleep to residents including infants, children, and adults.
- Fire hazard associated with the amateur use of incendiaries.
- Negative psychological effects to residents that are veterans suffering from PTSD
- Negative auditory impact on our pets that can create fear and barking dogs
- Waste of police resources to respond to calls for noise disturbance related to fireworks.

Chief Howe is asked how many calls on fireworks disturbances? The Chief states the trend for call disturbances has gone down over the past couple of years. He states there are concerned citizens and veterans with PTSD. Chief Howe believes there are problems and would like to see an ordinance. There is concern with the dry areas and the decision should be based on more than the number of complaints.

Scott Dennett would like to echo the chief. He also states that there is already a restriction, that they must be on their own personal property or they must have written permission. There are some restrictions already by state law.

Ms. Clarke states that the close quarters and the debris is being eaten by dogs.

Mr. Skibitsky would like samples of ordinances from other towns from TM Puiia.

Mr. Daley agrees with the Chief, for the health and safety and quality of life. He is requesting prohibition of use or list the days of use.

TM Puiia states if there is a consensus, he will bring in samples from other towns.

Mr. Jamison agrees with not having it allowed in town but wants it for out of town use.

Mr. Mitchell agrees with Mr. Daley, for the health and safety and regulated by the State of Maine.

Mrs. Holmes – It is illegal to light them off at Harlow Park as that is not private property and they do not have permission from the town.

Mr. Mitchell states that the state law is 10 pm any night and until midnight on the 4th and New Year's Eve and the two weekends prior to the stated holidays.

TM Puiia and Chief Howe will work on the getting other towns ordinances.

Mr. Moore asks how will that be enforced?

TM Puiia states that discipline comes with enforcement.

Mr. Holman asks where the out of town limits is.

Mr. Dennett says the state has a set guideline of 10 pm except for the two holidays and the two weekends prior to those holidays.

Mr. Jamison – Let's look at something that allows it but something that enforces safety.

Mr. McKay – asks if it will come before the voters. "Yes"

It was decided that TM Puiia and Chief Howe will bring something back next meeting.

e. MMA Legislative Policy Committee and VP and Executive Committee Election Ballot -

The board is able to vote and send one ballot.

TM Puiia states that usually these people have been working within the MMA and are aiming toward serving toward these positions.

Mr. Daley makes a motion as presented to approve the MMA Legislative Policy Ballot, Mr. Jamison seconds the motion. The Vote is 4-0 with Mr. Skibitsky abstained.

f. River Valley Healthy Communities request to participate in Marijuana Policy Workshop – Does the board want to send someone to the workshop?

The outcome was to discuss further as the date gets closer.

9. Other Business: Review of June 14th Referendum Ballot - The concern was the blanks on the ballots. Mr. Mitchell is questioning how many people didn't see the other side of the ballot. This discussion is tabled until the next meeting.

10. Public Correspondence: None

11. Public Comment:

Mr. Belskis: Asks what the income for the town will be for the Wind project? \$500,000? He also states that this income is not annually, it is over a 20 year span.

TM Puiia gives amounts with no TIFF, for a 30 million dollar project it is \$69K and for a 40 million dollar project it is \$98K.

Mr. Whittemore asks why we will not TIFF. It didn't benefit a rural small town.

Mrs. Holmes – What is the Tiff money allowed to be used for? Mr. Skibitsky states that someone from the state should clarify that as it is very complicated.

Mr. Holman – With all the delays, the value is now half. TM Puiia I just want to be clear that amount of towers has been cut in half but the taxable portion is still 100% taxable.

12. Board Questions/Comments: No Comment or Questions

13. FYI: None

14. Next Meeting: Monday, August 8, 2016 at 5:30 pm, downstairs at the Ludden Memorial Library.

15. Executive Session: pursuant to 1 MRS §405 (6) (D) to discuss Labor Negotiations. Mr. Skibitsky made a motion to move into executive Session: pursuant to 1 MRS §405 (6) (D) to discuss Labor Negotiations. Mr. Jamison seconded the motion. Unanimous vote 5-0. The Chair declared the Board out of Executive Session at 9:10 pm. Mr. Daley made a motion to authorize the Town Manager to enter into a side letter agreement with the Public Works union regarding schedule of wages. The motion was seconded by Mr. Mitchell. The vote was unanimous, 5-0.

16. Adjournment:

Motion to adjourn was made by Mr. Daley, and seconded by Mr. Jamison. The vote was unanimous. Meeting adjourned at 9:12 pm.

Respectfully submitted,

Barbara J. Rajaniemi,
Deputy Treasurer